

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

No. 7:02-CR-90-01-F

UNITED STATES OF AMERICA

v.

CLYDE DIAL, JR.,  
Defendant

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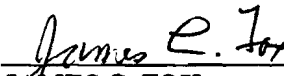
ORDER

By order of February 9, 2009 [DE-38], the undersigned denied defendant, Clyde Dial, Jr.'s Motion for Reduction of Sentence [DE-33] pursuant to 18 U.S.C. § 3582(c)(2). The Fourth Circuit Court of Appeals affirmed that order by unpublished opinion [DE-49]. See *United States v. Dial*, No. 09-6328 (4<sup>th</sup> Cir. March 25, 2010). Dial filed the instant Motion for Reconsideration [DE-53] on September 22, 2010, seeking a second bite at his § 3582(c)(2) motion.

Dial's Motion for Reconsideration [DE-53] is DENIED, both procedurally, because the subject order in final having been affirmed on appeal, and substantively, because the motion lacks merit.

SO ORDERED.

This 24<sup>th</sup> day of September, 2010.

  
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JAMES C. FOX  
Senior United States District Judge